P.R. No. 1401/06
Presented by Shri Avadh Tripathi
dated 24/3/06

SINGLE BENCH
C.F. 100

3

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

WRIT PETITION. NO. 1354 OF 2006

BETWEEN

Banshi Lal Sahu S/o Shri D.R.Sahu , Aged about 56 years, occupation service, working as Sub Inspector, presently posted at City Kotwali, Mahasamund District Mahasamund , resident of Mahasamund (CG).

PETITIONER

AND

1. The State of Chhattisgarh,
   Through the Secretary Department of Home Affairs
   Chhattisgarh, D.K.S. Building, Raipur (C.G.)

2. The Director General of Police, PHQ Raipur (CG).
   The Superintendent of Police, Mahasamund District Mahasamund (CG).

RESPONDENTS

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

XI-HC-22

(40)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

# आदेश पत्रक

मामला क्रमांक WP 1354/06 सन् 200

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | 21-3-2006<br>Shri Awadh Tripathi, counsel for the petitioner.<br>Shri A.S. Kachhawaha, Govt. Advocate for the State.<br>Heard.<br>By this petition under Article 226/227 of the Constitution of India, the petitioner challenges the order dated 9-3-2006 (Annexure-P/4) by which he has been transferred from Mahasamund to Sarguja Range. It is submitted that the petitioner already served in Kanker for about 2½ years and he was relieved from Kanker on 30-9-2003. Now he has again been transferred to naxalite area, which is against the transfer policy (Annexure-P/2). It is also submitted that while the petitioner was posted in Kanker he met with an accident on 7-2-2002 and his left leg was fractured & steel plate and screw have been fitted. Copy of the medical report is Annexure-P/3. The petitioner submitted representation before the authorities as per Annexure-P/5, but the same has not been decided.<br>Learned counsel for the State submits that for the present the petitioner may be directed to make a representation afresh before the concerned competent authorities and if such representation is made, the same shall be considered and decided.<br>Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation afresh raising his grievances before the competent authority of respondents along with a copy of the petition and this order, within a period of 15 days, and on such representation being filed, the competent authority of respondents shall decide the same on its own | |

[पीछे देखिये

XI-HC-22

41

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

# आदेश पत्रक

मामला क्रमांक WP 1354/06 सन् 200

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित -2- | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

merits in accordance with law as early as possible preferably within a period of two months from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

Learned counsel for the petitioner submits that the petitioner has not been relieved and prays that he may be allowed to continue.

In view of the above, the petitioner be allowed to continue till the representation is decided.

With the aforesaid observations, this petition stands disposed of.

Consequently M.(W.).P.No.1041/2006& I.A.No.2952/2006 also stand disposed of.

Certified copy as per rules.

**Sd/-**
**Fakhruddin**
**Judge**

sl Gowri

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